

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MELISSA ANN BARONE,

Defendant.

CR 11-52-GF-BMM

ORDER

This case was referred to United States Magistrate Judge John Johnston for a revocation hearing and findings and recommendations. Judge Johnston entered his findings and recommendations on June 24, 2015. Defendant admitted she had violated Standard Condition 7 of her supervised release by using methamphetamine. Judge Johnston found the admission sufficient to establish the supervised release violation. He recommended that this Court revoke Defendant's supervised release and commit her to the custody of the United States Bureau of Prisons until June 27, 2015, followed by 41 months of supervised release. Judge Johnston further recommended that Defendant reside in a residential re-entry center for a period of 180 days while on supervised release.

No objections were filed by either party. Judge Johnston's findings and recommendations are therefore reviewed for clear error. *McDonnell*

Douglas Corp. Commodore Bus. Mach, Inc., 656 F.2d 1309, 1319 (9th Cir. 1981).

The Court agrees with Judge Johnston's findings. Defendant admitted that she violated Standard Condition 7. Defendant could be incarcerated for up to 36 months, followed by 60 months of supervised release less any custody time imposed. The United States Sentencing Guidelines call for a term of imprisonment of four to ten months. A sentence of custody until June 27, 2015, followed by 41 months of supervised release is appropriate. The sentence is sufficient but not greater than necessary. A lengthy period of supervised release will help Defendant address her substance abuse problem.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 188) are ADOPTED in full and Judgment shall be entered accordingly.

DATED this 9th day of July, 2015.



Brian Morris
United States District Court Judge